

**SUPREME COURT MINUTES
TUESDAY, SEPTEMBER 18, 2001
SAN FRANCISCO, CALIFORNIA**

Orders were filed in the following matters extending the time within which to grant or deny a petition for review to and including the date indicated, or until review is either granted or denied:

A085453/S099462 People v. Peter A. Martinez – October 26, 2001.

B140310/S099661 People v. Jesse Ruben Ceja – November 2, 2001.

B148946/S099816 In re Michael Anthony Navarro on Habeas Corpus –
November 8, 2001.

C028788/S099640 People v. Willie Bailey III et al. – November 1, 2001.

G021374/S099369 J. Scott McFetters v. Amplicon Incorporated – October 23,
2001.

H020611/S099527 Ben Phillip Banuchi v. People – October 30, 2001.

S008112 People, Respondent
 v.

Arthur Hans Halvorsen, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including November 20, 2001.

S018909 People, Respondent
 v.

Robert Young, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including October 1, 2001.

S030402 People, Respondent

v.

Richard Tully, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including November 16, 2001.

S040703 People, Respondent

v.

James Robinson, Jr., Appellant

In light of Susan K. Marr's representation that she anticipates filing the appellant's opening brief by early January 2002, counsel's request for an extension of time in which to file the appellant's opening brief, to and including November 16, 2001, is granted.

S044739 People, Respondent

v.

Anthony George Bankston, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including November 19, 2001, to request correction of the record on appeal. Counsel for appellant is ordered to serve a copy of the record correction motion on the Supreme Court upon its filing in the trial court.

S046117 People, Respondent

v.

Ernest Dwayne Jones, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including November 16, 2001.

S054774 People, Respondent

v.

Keith Desmond Taylor, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including November 20, 2001, to request correction of the record on appeal. Counsel for appellant is ordered to serve a copy of the record correction motion on the Supreme Court upon its filing in the trial court.

S089357 In re Kristin William Hughes
 on
 Habeas Corpus

On the representation by counsel Morris Lenk that he anticipates filing the informal response within five months, by February 2002, counsel's request for an extension of time in which to file the informal response, to and including October 7, 2001, is granted.

S091530 In re Robert Fairbank, Jr.
 on
 Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including October 9, 2001.

No further extensions of time are contemplated.

S093694 In re James Edward Hardy
 on
 Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's return to the order to show cause is extended to and including October 15, 2001.

S097725 People, Respondent
 v.
 Daniel Walker, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief on the merits is extended to and including October 19, 2001.

S098242 Henkel Corporation, Appellant
 v.

Lloyd's of London et al., Respondents

On application of respondents Century Indemnity Company and Hartford Accident and Indemnity Company and good cause appearing, it is ordered that the time to serve and file their opening briefs on the merits is extended to and including October 8, 2001.

S098760 Timothy L. Smith, Appellant

v.

Rae-Wenter Law Group, Appellant

On application of appellant (Timothy L. Smith) and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to and including October 29, 2001.

S062562 People, Respondent

v.

Brandon Arnae Taylor, Appellant

Upon request of appellant for appointment of counsel, State Public Defender is hereby appointed to represent appellant Brandon Arnae Taylor for the direct appeal in the above automatic appeal now pending in this court.

S097715 People, Respondent

v.

Russell Hubert Statum, Appellant

Upon request of appellant for appointment of counsel, Dennis A. Fischer is hereby appointed to represent appellant on his appeal now pending in this court.

Appellant's brief on the merits shall be served and filed on or before thirty (30) days from the date of this order.

S097765 People, Respondent

v.

Arturo Garcia, Appellant

In re Arturo Garcia on Habeas Corpus

Upon request of appellant for appointment of counsel, Maxine Weksler is hereby appointed to represent appellant on his appeal now pending in this court.

Appellant's brief on the merits shall be served and filed on or before thirty (30) days from the date of this order.

S099128 In re **John Owen Stansbury** on Discipline

It is hereby ordered that **John Owen Stansbury, State Bar No. 43117**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to

perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S099130 In re **Daniel Gene Russell** on Discipline

It is hereby ordered that **Daniel Gene Russell, State Bar No. 96063**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S099135 In re **Laurence David Strick** on Discipline

It is ordered that **Laurence David Strick, State Bar No. 75097**, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including six months actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on May 17, 2001. It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2002, 2003 and 2004.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S099138 In re **Lawrence Crawford Bragg** on Discipline

It is ordered that **Lawrence Crawford Bragg, State Bar No. 33302**, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be placed on probation for four years subject to the conditions of probation, including six months actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on May 15, 2001. The period of actual suspension shall be consecutive to the period of actual suspension in SO90383

(97-O-12297; 97-O-14198; 97-O-17765; 99-O-12723; 00-O-11280).

It is also ordered that he take and pass the Multistate Professional Responsibility Examination within three years after the effective date of this order. or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S099219

In re **Mary Patricia Clark** on Discipline

It is ordered that **Mary Patricia Clark, State Bar No. 177852**, be suspended from the practice of law for two years and until she provides proof satisfactory to the State Bar Court of her rehabilitation, fitness to practice and present learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct; and until she makes restitution to Linda Prewitt (or the Client Security Fund, if appropriate) in the amount of \$545 plus 10% interest per annum from May 12, 1999; and until she makes restitution to Jamie Mancera-Watson (or the Client Security Fund, if appropriate) in the amount of \$504 plus 10% interest per annum from September 18, 2000; and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel; that execution of the suspension be stayed, and that she be placed on probation for three years subject to the conditions of probation, including restitution, including 120 days actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed April 9, 2001, as modified by its order filed May 11, 2001. It is also ordered that she take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of her actual suspension, whichever is later. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that she comply with rule 955 of the California Rules of Court, and that she perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S099220 In re **Tony Forberg** on Discipline

It is ordered that **Tony Forberg, State Bar No. 172220**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 45 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed April 30, 2001. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2002 and 2003.

S099222 In re **Kenneth B. Alexander** on Discipline

It is ordered that **Kenneth B. Alexander, State Bar No. 115336**, be suspended from the practice of law for three years, and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, and until he has made the specified restitution, that execution of the suspension be stayed, and that he be placed on probation for four years on condition that he be actually suspended for one year. Respondent is further ordered to comply with the other conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 16, 2001, as modified by its order filed on May 30, 2001. It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Respondent is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in equal installments for membership years 2003, 2004, 2005 and 2006. *(See Bus. and Prof. Code, § 6126, subd. (c).)

S099245 In re **Newland Chenoweth Shepard** on Discipline

It is ordered that **Newland Chenoweth Shepard, State Bar No. 132824**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for 30 days as recommended by the Hearing Department of the State Bar Court in its decision filed on May 16, 2001; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If respondent is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of respondent's actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) If respondent is actually suspended for 90 days or more, it is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.
*(See Bus. and Prof. Code, § 6126, subd. (c).)

S099248 In re **John Haig Missirlian** on Discipline

It is ordered that **John Haig Missirlian, State Bar No. 66885**, be suspended from the practice of law for 90 days, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 18, 2001. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891,

fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S099249 In re **Tony Rodriguez** on Discipline

It is hereby ordered that **Tony Rodriguez, State Bar No. 102882**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Bus. and Prof. Code, § 6126, subd. (c).)